

Message

From: Cora, Lori [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C8850941BF1540C796559DCE75C2F5EE-CORA, LORI]
Sent: 11/22/2016 8:17:41 PM
To: Steiner-Riley, Cara [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bef7d04f2e64e4b8b90235a30cc7109-Steiner-Riley, Cara]
Subject: FW: NWEA NOI on Oregon 303(d) list

FYI.

Lori Houck Cora | Assistant Regional Counsel
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From: Glazer, Thomas
Sent: Tuesday, November 22, 2016 12:14 PM
To: Fullagar, Jill <Fullagar.Jill@epa.gov>; Monschein, Eric <Monschein.Eric@epa.gov>; Croxton, Dave <Croxton.David@epa.gov>
Cc: Havard, James <Havard.James@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Subject: RE: For Dave - thoughts on OA issue for OR list

FYI: I've received the following message from NWEA's counsel with regard to the NOI –

"I have conferred with Nina Bell at NWEA, and I can tell you that NWEA does not intend to file suit before the first week of January. We do hope that EPA will be able to hit that self-imposed deadline and we look forward to reviewing the agency's action documents once they are available."

I'll inform Sarah Buckley (our DOJ counsel for the NOI).

Best,
Tom

Tom Glazer
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Water Law Office
7426N WJC North
(202) 564-0908

From: Glazer, Thomas
Sent: Monday, November 21, 2016 5:04 PM
To: Fullagar, Jill <Fullagar.Jill@epa.gov>; Monschein, Eric <Monschein.Eric@epa.gov>; Croxton, Dave <Croxton.David@epa.gov>
Cc: Havard, James <Havard.James@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Subject: RE: For Dave - thoughts on OA issue for OR list

On the NOI: NWEA's counsel told me last week that he didn't think NWEA would be interested in filing a Complaint provided that we acted on the list in the first week of January. He had said that he'd confirm with NWEA and get back to me. Earlier today, I sent him a note to follow up on that. I'll let you know when I hear back.

Tom Glazer
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From: Fullagar, Jill
Sent: Monday, November 21, 2016 3:56 PM
To: Monschein, Eric <Monschein.Eric@epa.gov>; Croxton, Dave <Croxton.David@epa.gov>
Cc: Havard, James <Havard.James@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>; Cora, Lori <Cora.Lori@epa.gov>
Subject: RE: For Dave - thoughts on OA issue for OR list

Hi Eric and Ruth,

Ruth—I got your message, but am in meetings the rest of the afternoon. I can give you a call tomorrow to talk through this some more.

I think our intention was to keep the request for comments pretty basic; Steve and Lori—correct me if you had other ideas.

Attorney Client / Deliberative Process / Ex. 5

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Anyone—please let me know if you have input.

As far as the other additions, our documents will be very similar to those we used last time, so aside from the listings themselves, the majority of the rest of the content will have already been through quite a bit of review. I hope to get something to you by the end of next week.

Tom—any word back re: the NOI? Thanks, and I'll get you something as soon as I have it. If you have pre-writing input, though, please send it my way now. Thx.

jill

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From: Monschein, Eric
Sent: Monday, November 21, 2016 12:26 PM
To: Croxton, Dave <Croxton.David@epa.gov>

Cc: Fullagar, Jill <Fullagar.Jill@epa.gov>; Havard, James <Havard.James@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>; Lewicki, Chris <Lewicki.Chris@epa.gov>; Sweeney, Stephen <Sweeney.Stephen@epa.gov>; Glazer, Thomas <glazer.thomas@epa.gov>
Subject: For Dave - thoughts on OA issue for OR list

Dave – just a quick FYI to let you know that Ruth and I met with Jim Havard last week and got him up to speed on the key question you asked us (i.e., **Attorney Client / Deliberative Process / Ex. 5**). As a general matter, we are leaning toward comfort. That said, however, we mentioned to Jim (and he agreed) that the questions you guys want to pose in the public notice are key to our comfort level. **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5 So, as a next step, let me propose that you guys share some language with us when you get it drafted.

Jill – different, but related, do you have a summary of the basis for adding the other 300 inland waters? As much as that has not been the focus of our conversation with you guys, we'll likely need to have some background on that **Attorney Client / Deliberative Process / Ex. 5**
Attorney Client / Deliberative Process / Ex. 5 when we discuss this with Tom and Benita.

Cheers
Eric